

A BILL

FOR AN ACT PROVIDING FOR APPEALS FROM THE FINDINGS OF THE COMMISSIONERS OF INSANITY, AND TO AMEND SECTION 1401, OF CHAPTER 2, TITLE XI, OF THE CODE.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That any person found to be insane by the commissioners of insanity may appeal to the circuit court by giving the clerk of said court notice, in writing, that he or she appeals from said finding, which notice may be signed by the party, his or her attorney, agent or guardian.

SEC. 2. Such appeal may be taken at any time within ten (10) days after the filing of the finding of said commissioners.

SEC. 3. The cause, when thus appealed, shall be placed upon the docket by the clerk of said court, and stand for trial anew in the circuit court.

SEC. 4. If any person found to be insane by the commissioners of insanity takes an appeal from such finding, such person shall be discharged from custody pending such appeal, unless the commissioners, for any reason, find that such person cannot, with safety, be allowed to go at large, in which case they shall require that such patient shall be suitably provided for, as provided in section 1403 of the Code, until such appeal can be tried and terminated.

SEC. 5. If, upon the trial, such person is found not insane, the court shall order his or her immediate discharge, if in custody. If such person is found to be insane, and a fit subject for custody and treatment in the hospital, the court shall order that such person be committed to the hospital, and the clerk of the court shall issue a warrant to carry said finding and order into effect; which warrant, and the proceedings on and under it, shall be substantially the same as are provided for in section 1401, of chapter 2, of title XI, of the Code.

SEC. 6. That section 1401, of chapter 2, of title XI, of the Code, be amended by inserting, after the word "hospital," in the tenth line thereof, the words: "They shall order said person to be committed to the hospital;" and "unless said person so found to be insane, or some one in his or her behalf, shall appeal from the finding of said commissioners."